

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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PARADIGM BIODEVICES, INC.

Plaintiff,

-v-

VISCOGLIOSI BROTHERS, LLC, VISCOGLIOSI &
COMPANY, LLC, PARADIGM SPINE, LLC,
CENTINEL SPINE, INC., JOHN J. VISCOGLIOSI, and
ANTHONY G. VISCOGLIOSI,

Defendants.
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USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: <u>5/11/12</u>

11 Civ. 3489 (JMF)

ORDER

JESSE M. FURMAN, District Judge:

In light of the parties' joint stipulation filed on May 7, 2012, and the third amended complaint filed on May 9, 2012, Defendants' Motion to Dismiss the Second Amended Complaint [Docket No. 69] and Defendants' Motion for Reconsideration [Docket No. 58] are hereby DISMISSED without prejudice as moot. Defendants have leave to make any arguments contained therein in a new motion directed toward the third amended complaint.

It is FURTHER ORDERED that, because they were not named in the third amended complaint, this action is terminated with respect to Viscogliosi Brothers, LLC; Viscogliosi & Company, LLC; Paradigm Spine, LLC; and Anthony G. Viscogliosi.

SO ORDERED.

Dated: May 11, 2012
New York, New York



JESSE M. FURMAN
United States District Judge